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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

MARVIS NOLAN

CIVIL ACTION NO. 05-1625

VS.

JUDGE DOHERTY

WAL-MART LOUISIANA, L.L.C.  
XYZ INS. CO.

MAGISTRATE JUDGE METHVIN

JURISDICTIONAL REVIEW RULING

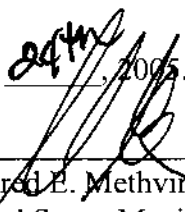
As required by a standing order of this court, the undersigned has reviewed the record and concludes that the jurisdictional amount has been established in this diversity case.

Plaintiff, Marvis Nolan, alleges that she slipped and fell on an unknown slippery substance in a Wal-Mart store in Abbeville, Louisiana on August 5, 2004; that she sustained "severe personal injuries," including shoulder, neck, back, and arm injuries; and that she is entitled to damages for medical expenses, pain and suffering, and loss of enjoyment of life.

In its Notice of Removal, defendant Wal-Mart alleges that plaintiff sustained a cervical sprain/strain, lumbosacral sprain/strain with history of prior interbody fusion with questionable pseudoarthrosis, ankle sprain, and sprain of the distal radial ulnar joint of the left wrist. Wal-Mart further alleges that on March 24, 2005, plaintiff underwent an anterior acromioplasty with resection of the spur beneath the distal clavicle and release of the coracoacromial ligament, repair of the rotator cuff, and hemiarthroplasty using Howmedica proximal humeral prosthesis. Finally, Wal-Mart avers that Nolan's medical bills to date exceed \$30,000.00. Wal-Mart attached numerous medical records to support the foregoing statements.

Considering the nature of the injuries sustained by Marvis Nolan, and the fact that she has undergone surgery for those injuries, the undersigned concludes that the jurisdictional amount has been established in this case.

Signed at Lafayette, Louisiana on October 24<sup>th</sup>, 2005.



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Mildred E. Methvin  
United States Magistrate Judge  
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